

REMARKS

This paper is responsive to the Office Action dated November 16, 2007. All rejections and objections are respectfully traversed. Reconsideration is respectfully requested.

Applicant wishes to thank the Examiner for his help in a telephone interview on April 3, 2008. In the telephone interview, the present claim amendments were discussed. The Examiner indicated that subject to further consideration and search, the amendments appeared to overcome the cited references.

Support for the present amendments to claim 1 are supported at various places in the Specification and Drawings as originally filed. For example, the present claim amendments are supported from line 7 on page 11 through line 7 on page 12 of the Specification, and by the steps shown in Figs. 4 and 5.

At paragraph 3 of the Office Action, the Examiner rejected the pending claims under 35 U.S.C. 112, second paragraph. Amendments to the claims herein are respectfully believed to meet all requirements of the Examiner in this regard.

At paragraph 4, the Examiner rejected the claims for obviousness under 35 U.S.C. 103, citing the combination of United States patent publication 2003/0048298 of Ellendman ("Ellendman") and United States patent publication 2004/0093382 of Kulkarni ("Kulkarni"). Applicant respectfully traverses this rejection.

Ellendman discloses a system in which one or more user input fields in a user interface screen are used to specify addresses to be removed from address fields prior to sending an outgoing e-mail message. The user input fields of Ellendman are described as including a field used to specify addresses to be removed from a "To" field, a field used to specify addresses to be removed from a "Cc" field, a field used to specify addresses to be removed from a "Bcc" field,

and a field used to specify addresses to be removed from all address fields. See Abstract, Fig. 2 and Fig. 6, and related text in Ellendman.

Kulkarni discloses a method of transmitting an electronic mail message addressed to a group of recipients using a group alias by temporarily excluding a member from the group alias without modifying the group alias. To perform the present invention, the electronic mail message format of Kulkarni further includes a field to receive the address of a member for temporarily excluding him from receiving a current message. The group alias of Kulkarni is first resolved into a list of individual addresses from which the address to be excluded is located and temporarily removed before transmitting the message to the remaining recipients.

Nowhere in the combination of Ellendman and Kulkarni is there disclosed any method for processing a message for transmission, comprising:

determining an include set of recipient entities, wherein said determining said include set of recipient entities includes displaying at least one destination user input field within a graphical user interface window and inputting said include set of recipient entities from said at least one destination user input field;

determining an exclude set of recipient entities, wherein said determining said exclude set of recipient entities includes displaying at least one exclude user input field within said graphical user interface window and inputting said exclude set of recipient entities from said at least one exclude user input field;

assigning, by a source server system, a difference between said include set of recipient entities and said exclude set of recipient entities to a new include set of recipient entities;

transmitting said new include set of recipient entities and said exclude set of recipient entities to a destination server system;

determining, by said destination server system, a result of a difference operation between said new include set of recipient entities and said exclude set of recipient entities; and

sending, by said destination server system, said message to destinations indicated by those recipient entities within said result of said difference operation between said new include set of recipient entities and said exclude set of recipient entities. (emphasis added)

as in the present independent claim 1. In contrast, Ellendman includes no mention of operations or functions performed at any server system, whether source or destination. Accordingly, Ellendman fails to provide even a suggestion of the possibility of performing the above highlighted steps of *assigning, by a source server system, a difference between said include set of recipient entities and said exclude set of recipient entities to a new include set of recipient entities, transmitting said new include set of recipient entities and said exclude set of recipient entities to a destination server system, and determining, by said destination server system, a result of a difference operation between said new include set of recipient entities and said exclude set of recipient entities*, as in the present independent claim 1. As Ellendman includes no discussion of source and/or destination server systems, it similarly lacks any teaching or suggestion regarding transferring an exclusion list to any system other than a client system typically used to generate e-mail application user interface screens. Processing of any exclusion lists based on the teachings in Ellendman can therefore only be understood as being performed within the same system that generated the user interface fields shown in Figs. 2 and 6 of Ellendman, i.e. the end user, client system. With regard to Kulkarni, it teaches away from providing any new include set from a source server to a destination server in paragraph 38, which states in significant part as follows with regard to operation in “inhost.com”, which is apparently the destination server:

. . . At this point, the list of individual addresses includes both the exclude list and recipient list. According to the present invention, the POP3 server 12b checks the addresses of the exclude list against the list of individual recipient addresses. (emphasis added)

Thus Kulkarni expressly describes a system in which *the complete recipient list is conveyed from the source server to the destination server*. This stands in clear contrast to the present invention as set forth in independent claim 1, which includes *assigning, by a source server system, a difference between said include set of recipient entities and said exclude set of recipient entities to a new include set of recipient entities, transmitting said new include set of recipient entities and said exclude set of recipient entities to a destination server system, and determining, by said destination server system, a result of a difference operation between said new include set of recipient entities and said exclude set of recipient entities*.

For the above reasons, Applicant respectfully urges that the combination of Ellendman and Kulkarni fails to disclose or suggest all the features of the present independent claim 1. The combination of Ellendman and Kulkarni therefore fails to support a prima facie case of obviousness with regard to the present independent claim 1 under 35 U.S.C. 103. As to the remaining claims, they each depend from claim 1, and are respectfully believed to be patentable over the combination of Ellendman and Kulkarni for at least the same reasons.

Reconsideration and further examination are respectfully requested.

Applicants have cancelled some claims from further consideration in this application, and have amended the independent claims. Applicants are not conceding in this application that the cancelled or unamended claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of allowable subject matter. Applicants respectfully reserve the right to pursue the cancelled or unamended claims in one or more continuations and/or divisional patent applications.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully

requested that the Examiner telephone Applicants' Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

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Date

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